

Apr 7, 2022

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
22-20138-CR-COOKE/DAMIAN
CASE NO. _____

18 U.S.C. § 875(c)
18 U.S.C. § 2261A(2)(A)
18 U.S.C. § 981(a)(1)(C)

UNITED STATES OF AMERICA

v.

JOE NATHAN PYATT, JR.,

Defendant.

INDICTMENT

The Grand Jury charges that:

COUNT 1
Threatening Communications
18 U.S.C. § 875(c)

On or about February 12, 2021, in Miami-Dade County, in the Southern District of Florida,
and elsewhere, the defendant,

JOE NATHAN PYATT, JR.,

did knowingly and intentionally transmit in interstate and foreign commerce a communication that contained a threat to injure the person of another, and transmitted the communication with the intent to communicate a true threat, and with the knowledge that the communication would be viewed as a threat, that is, an email sent to the Federal Bureau of Investigation in which the defendant stated "I'll die fighting against you if I have to" and "I will shoot at you [] and any agent when I do my open carry protest and you try to apply the rule of law!" in violation of Title 18, United States Code, Section 875(c).

COUNT 2
Threatening Communications
18 U.S.C. § 875(c)

On or about March 24, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

JOE NATHAN PYATT, JR.,

did knowingly and intentionally transmit in interstate and foreign commerce a communication that contained a threat to injure the person of another, and transmitted the communication with the intent to communicate a true threat, and with the knowledge that the communication would be viewed as a threat, that is, a post on Twitter, in which the defendant stated “@FBIMiamiFl Stay the fuck out of my life before I start shooting at you!” in violation of Title 18, United States Code, Section 875(c).

COUNT 3
Cyber Harassment
18 U.S.C. § 2261A(2)(A)

From on or about June 27, 2020, through on or about March 24, 2022, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

JOE NATHAN PYATT, JR.,

did, with the intent to harass and intimidate, use any interactive computer service and electronic communication service and electronic communication system of interstate commerce, and any other facility of interstate and foreign commerce to engage in a course of conduct that placed members of the Federal Bureau of Investigation in reasonable fear of death and serious bodily injury, in violation of Title 18, United States Code, Section 2261A(2)(A).


FORFEITURE ALLEGATIONS

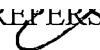
1. The allegations of this Indictment are hereby re-alleged and by this reference fully


incorporated herein for the purposes of alleging forfeiture to the United States of America of certain property in which the defendant, **JOE NATHAN PYATT, JR.**, has an interest.

2. Upon conviction of a violation of Title 18, United States Code, Section 875(c), as alleged in this Indictment, the defendant shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to the offense, pursuant to Title 18, United States Code, Section 981(a)(C).

All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL 

FOREPERSON 


JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY


MONICA K. CASTRO
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO.:

v.

CERTIFICATE OF TRIAL ATTORNEY*

JOE NATHAN PYATT, JR.,

Defendant.

Court Division (select one)

- ☒ Miami ☐ Key West ☐ FTP
☐ FTL ☐ WPB

Superseding Case Information:

New Defendant(s) (Yes or No)
Number of New Defendants
Total number of New Counts

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
3. Interpreter: (Yes or No) No
List language and/or dialect:
4. This case will take 7 days for the parties to try.
5. Please check appropriate category and type of offense listed below:
(Check only one) (Check only one)
I ☐ 0 to 5 days ☐ Petty
II ☒ 6 to 10 days ☐ Minor
III ☐ 11 to 20 days ☐ Misdemeanor
IV ☐ 21 to 60 days ☒ Felony
V ☐ 61 days and over
6. Has this case been previously filed in this District Court? (Yes or No) No
If yes, Judge Case No.
7. Has a complaint been filed in this matter? (Yes or No) Yes
If yes, Magistrate Case No. 21-mj-02514-LMR
8. Does this case relate to a previously filed matter in this District Court? (Yes or No) No
If yes, Judge Case No.
9. Defendant(s) in federal custody as of March 25, 2022
10. Defendant(s) in state custody as of
11. Rule 20 from the District of
12. Is this a potential death penalty case? (Yes or No) No
13. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard? (Yes or No) No
14. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss? (Yes or No) No

By: _____

Monica K. Castro
Assistant United States Attorney
Court ID No. A5502776

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: JOE NATHAN PYATT, JR.

Case No: _____

Counts #: 1 and 2

Threatening Communications

Title 18, United States Code, Section 875(c)

***Max. Penalty: Five Years' Imprisonment**

Count #: 3

Cyber Harassment

Title 18, United States Code, Section 2261A(2)(A)

***Max. Penalty: Five Years' Imprisonment**

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NUMBER: _____

BOND RECOMMENDATION

DEFENDANT: JOE NATHAN PYATT, JR.

Pre-Trial Detention

(Personal Surety) (Corporate Surety) (Cash) (Pre-Trial Detention)

By: _____

AUSA: Monica K. Castro

Last Known Address: _____



What Facility: _____

Federal Detention Center, Miami

33 NE 4th Street, Miami, FL 33132

Agent(s): _____

Sophak Thach (FBI)

(FBI) (SECRET SERVICE) (DEA) (IRS) (ICE) (**OTHER**)